

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:)	CASE NO. BK04-83641
)	A08-8006
ROBERT WAYNE WILSON and)	
SHIRLEY KAY WILSON,)	
)	CH. 13
Debtor(s).)	
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SHIRLEY KAY WILSON and)	
ROBERT WAYNE WILSON,)	
)	
Plaintiffs,)	
)	
vs.)	
)	
TONY WEIHS and)	
ACE CONSTRUCTION,)	
)	
Defendants.)	

ORDER

Hearing was held in Omaha, Nebraska, on May 6, 2008, regarding the complaint filed by the plaintiffs and Filing No. 8, an Amended Motion for Default Judgment. Ryan Caldwell appeared for the plaintiff/debtors and no appearance was made on behalf of the defendants.

Counsel for the plaintiffs appeared and presented affidavit evidence with regard to attorney fees incurred by the plaintiffs. Counsel requested no additional monetary damages but did request the court to void certain construction liens placed by defendants on property of the debtors after the bankruptcy petition was filed.

IT IS HEREBY ORDERED that:

1. The construction liens filed in Washington County, Nebraska on property owned by the debtors, namely Lakeland Estates, Third Addition, Revised Lot 7, Block 28, 12K PC 7, more commonly known as 11126 Summit Drive, Blair, Nebraska, 68008, and Blair City Lot 5, Block 72, 112 PC 5, more commonly known as 1255 Colfax Street, Blair, Nebraska, 68008, are hereby declared null and void.

2. Pursuant to 11 U.S.C. § 362(k)(1), I find that the plaintiffs were injured by a willful violation of the automatic stay and shall recover actual damages, consisting of costs and attorney fees in the total amount of \$884.00.

Separate judgment shall be entered.

DATED: May 2008

BY THE COURT:

/s/ Timothy J. Mahoney
Chief Judge

Notice given by the Court to:

*Ryan Caldwell
Tony Weihs
ACE Construction

Movant (*) is responsible for giving notice to other parties if required by rule or statute.